

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

TERRY WAYNE BOWLIN, )  
                          )  
Plaintiff,            )  
                          )  
v.                     ) Case No. CIV-09-493-D  
                          )  
SHERIFF VAN HOUSEN, )  
                          )  
Defendant.            )

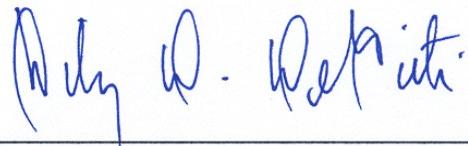
**ORDER OF DISMISSAL**

Before the Court is the Report and Recommendation issued by United States Magistrate Judge Doyle W. Argo pursuant to 28 U.S.C. § 636(b)(1)(B)-(C). Judge Argo recommends dismissal of the action due to Plaintiff's failure to pay the initial partial filing fee of \$13.67 required by 28 U.S.C. § 1915(b)(1), to request additional time to pay the fee, or to show cause for nonpayment. Plaintiff has neither filed a timely objection nor requested additional time to object, although he was advised of his rights and given notice of the waiver rule.

The Court finds that Plaintiff has waived further review of the Report. For this reason, and because the initial filing fee remains unpaid, the Court concurs in Judge Argo's recommendation.

IT IS THEREFORE ORDERED that the Court adopts the Report and Recommendation [Doc. No. 10] in its entirety. The case is DISMISSED without prejudice to refiling.

Entered this 8<sup>th</sup> day of September, 2009.



TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE